



SCHEDULED CASTES AND THE ATROCITIES AMENDMENT ACT, 2015: A CRITICAL ANALYSIS

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ABSTRACT

“Ours is the struggle not for money or power but for reclamation of human dignity”

-B. R. Ambedkar

Recently, an upper caste teacher murdered a dalit man for touching the flour during Navratri and rendered it impure. In another incident seven members of a Dalit family were allegedly beaten up for skinning a dead cow in Gir Somnath district, Una. And, a Dalit student of premier university hanged himself in a friend's hostel room alleging discrimination. Moreover, there is an Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. But, nearly 8 lakh were involved in Manual Scavenging according to Census 2011. However, this is not the end. There are plethora of such incidents such as thrashing poor people for cattle carcass, forced manual scavenging, sexual assault, and incidents of urinating on dalits. Dalits make up approximately 17% of India Population. But, Number of crimes reported against members of Schedule castes per one lakh of their population were 23 in 2014. It means that rate of crime against members of Schedule castes was above the national average in 10 states in 2014. Moreover, the filing of FIR rate in crimes against Dalits was 92% but conviction rate was only 29% in 2014. Against this backdrop, this paper examines what is done to deal with these situations, how much we would succeed and what more we can do for the social empowerment of these people.

Key Words: Atrocities, Discrimination, Special Courts, Dalits, Exclusive Special Court, Relief

Dalits make up 16.6 % of Indian population.¹ To upgrade their status and empower them, we have the protection of Civil Rights Act, 1955, the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989, and the Prohibition of Employment as Manual Scavengers and Rehabilitation Act, 2013. But even after 70 years of Independence, a poor dalit couple was hacked to death by an upper caste man for refusing to part with a small sum of rupees fifteen.² All seven members of the dalit family were beaten up in Gir Somnath district, Una, for skinning a dead cow on 11th July 2016.³ A teacher killed a dalit by slitting his throat because he touched the flour during Navaratri and rendering it impure.⁴ And a dalit student, with other four students, was forbidden from accessing the canteen, administration building and other common areas because there was a complaint that they assaulted Akhil Bharatiya Vidyarthi Parishad member. They protested for false charges and an unjust punishment. Then, he committed suicide alleging racial discrimination in a premier university.⁵

Therefore, we will analyze the Prevention of Atrocities Amendment Act, 2015 to find out what is done to deal with these situations.

1. Schedule Caste: Meaning and Nature

The term Schedule Castes was adopted first time by British while listing lowest ranking Hindu castes in a Schedule appended to the Government of India Act, 1935. After independence this term was recognized under Article 341 of the Constitution of India. Formerly, these people were known as ‘depressed classes’. Different people tried to explain the term ‘depressed classes’. Let’s see how it is defined. Sir Edward Blunt, defined the depressed classes as:

Those castes who are not served by Brahmans, yet have shown by their attempts to secure some trivial service from Brahmans that they are desirous of securing their recognition.⁶

¹ See Primary Census Abstract: Data Highlights, April 30, 2013, Census of India, 2011.

² “Dalit Couple Hacked to Death over Rupees 15 in Uttar Pradesh”, *The Economic Times*, 29 July 2016.

³ “Protest continue in Gujarat over thrashing of Dalits near Una”, *The Hindu*, 22 July 2016.

⁴ “Dalit man killed for entering flour mills”, *The Times of India*, 8 October 2016.

⁵ “Tombstone of Shame”, *The Economic Times Magazine*, January 24 -30 2016.

⁶ Sir Edward A. H. Blunt, *The Caste System of Northern India* (Oxford University Press, Madras, 1931), pp. 335-336.

A civil servant, who submitted a memorandum to the U.P. Government in which he defined a depressed class as:

“One whose social, economic and other circumstances are such that it will be unable to secure adequate representation of its political views or adequate protection of its interest without some form of special franchise concession.”⁷

The depressed classes were untouchables. However, the term ‘untouchable’ is neither defined in the constitution nor in the law which punishes its practice. The word untouchability has two senses. First, untouchability is the stigma attached to certain people because of the pollution they convey. It is a stigma by caste from birth but not from deeds performance. Secondly, “untouchability” refers to the sets of practices engaged in by the rest of society to protect itself from the pollution conveyed by the untouchables and to symbolize their inferior status. This is the operational meaning. Generally, this term is described in terms of civil, social and religious disabilities. According to Lelah, the untouchables not only have the lowest socio-religious status but also suffer from the worst poverty, ignorance and exploitation.⁸

The term schedule caste is not defined in the Constitution of India. But, before Independence, J. H. Hutton tried to explain it as - The scheduled castes were defined as “castes, contact with whom entails purification on the part of high caste Hindu’s.”⁹ J. H. Hutton, the census commissioner also suggested the nine criteria to determine which caste were to be scheduled. The criteria to determine which castes were to be scheduled¹⁰ are as follows:

- (i) The caste suffered civil disabilities like denial of access to roads, wells or schools
- (ii) The caste caused pollution by touch or proximity
- (iii) Caste denied access to the interior of ordinary Hindu temples
- (iv) Caste denied the services of clean Brahmans
- (v) Caste denied the services of the same barbers who served high caste Hindu’s
- (vi) Caste was subject to the rules concerning acceptance of water

⁷ *Id.*, pp. 498-99.

⁸ Lelah Dushkin, “Schedule Caste Policy in India: History, Problems, Prospects,” *Asian Survey*, Vol. 7, No.9, p. 628.

⁹ J H Hutton, *Caste in India*, (Oxford University Press, Bombay, 1963), pp 192-222.

¹⁰ *Id.* , p. 195

- (vii) Caste was not to be scheduled if an educated member was treated as a social equal by a high caste man of the same education
- (viii) Caste was not to be scheduled if they were depressed only because of its occupation
- (ix) Caste was not to be scheduled if they were depressed only because of its ignorance, illiteracy or poverty.

These criteria were workable in most of the areas. But, in southern part these did not work because it included a large portion of the Hindu population. Therefore, the additional criteria of illiteracy and poverty were applied to select most depressed. But in Northern part, the lowest caste suffered these disabilities in very milder way, if these criteria were applied all other would be excluded. Therefore, additional criteria i.e. illiteracy and poverty were applied. These untouchables are now sometimes called as ex-untouchables because of the legal abolition of untouchability. Now, it means they are equal like other high caste people.

2. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015

There were Anti-Disabilities legislations in 14 states, Temple Entry legislations in 7 states and 12 states did not have either between 1950 and 1955.¹¹ Therefore, the Protection of Civil Rights Act, 1955 is enacted to combat social discrimination against the schedule castes.¹² The Act provides for punitive provisions in case any person practices or preaches untouchability. But, this act was not working well because the compoundable nature of the offences resulted in compromises and the punishments were small.¹³ Therefore, the Government of India constituted a Committee on Untouchability, Educational & Economic Development of Scheduled Castes under the chairmanship of R. Elayaperumal to study “the working of the Untouchability (Offences) Act 1955, the restrictions imposed on the entry of Harijans into public places of

¹¹ R. K. Kshirsagar, *Untouchability in India: Implementation of the Law & its Abolition* (Deep & Deep Publications, New Delhi, 1999) pp. 104-106.

¹²See the “Report of the Joint Select Committee on the Untouchability (Offences) Bill,” Gazette of India Extraordinary, Part II, Sec. 2, No. 57A, December 3, 1954. The Protection of Civil Rights Act, 1955 (Act No.22 of 1955) was passed by Parliament in April 1955. See the Gazette of India, Extraordinary, Part II, Sec.1, No. 34, May 11, 1955, pp.227-234. It came into effect from 1st June, 1955, vide Notification No. S.R.O.1109. See the Gazette of India, Extraordinary, Part II, Section 3, May 23, 1955 p. 1971. The original name of the act was the Untouchability (Offences) Act, 1955. It was renamed as the Protection of Civil Rights Act, 1955 in 1976.

¹³ K.D. Purane, *Untouchability and the Law - A ground Reality*, (Gyan Publishing House, New Delhi, 2000), p. 41.

worship and to suggest remedial measures in 1965.”¹⁴ Accordingly, the act was amended in 1977. The act provides for religious¹⁵ and social disabilities¹⁶. Nobody can refuse scheduled caste member to admit in any hospital, hostel or educational institutions¹⁷ and to render services¹⁸. When a person is convicted for refusing to sell any goods or rendering any services to any other person and convicted person is holding any license for any profession, trading or employment. This license could be cancelled or suspended.¹⁹ The member cannot be compelled to do scavenging or job of similar nature.²⁰

The punishment for committing most of the offences ranges from a minimum imprisonment for one month and a maximum of six months and fines ranges from Rupees One Hundred to Rupees Five Hundred. A person committing an offence for the second time is liable to be punished with imprisonment for a period from 6 months to 1 year and a fine of Rs. 200 to Rs.500. And a person committing an offence for the third time he is liable to be punished with imprisonment for a period from one to two years and a fine of Rs. 500 to Rs.1000.²¹

It was found that there were increasing attacks on Scheduled Castes and Tribes and commission of atrocities like making them eat human excreta were on the rise. And, existing laws i.e. the Protection of Civil Rights Act, 1955 and the Indian Penal Code were found to be inadequate to curb these grave crimes. Therefore, the new legislation i.e. the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was enacted²². This Act provides for stringent punishments, created special courts for the trial of offence and also provides for the relief and rehabilitation of victims of offences.

The Act was acknowledged as a landmark legislation to end injustice, violence and atrocities against members of Schedule Caste and Schedule Tribes. But, atrocities against the members of SCs and STs continue at a disturbing level besides having high acquittal rates, low conviction rates and poor coordination between the enforcement authorities at the State and district level.

¹⁴ The Committee Report on Untouchability, Education & Economic Development of schedule caste, 1969. This committee is known as R. Elayaperumal Committee.

¹⁵ The Protection of Civil Rights Act, 1955 (Act 22 of 1955), s. 3.

¹⁶ *Id.*, s. 4.

¹⁷ *Id.*, s. 5.

¹⁸ *Id.*, s. 6.

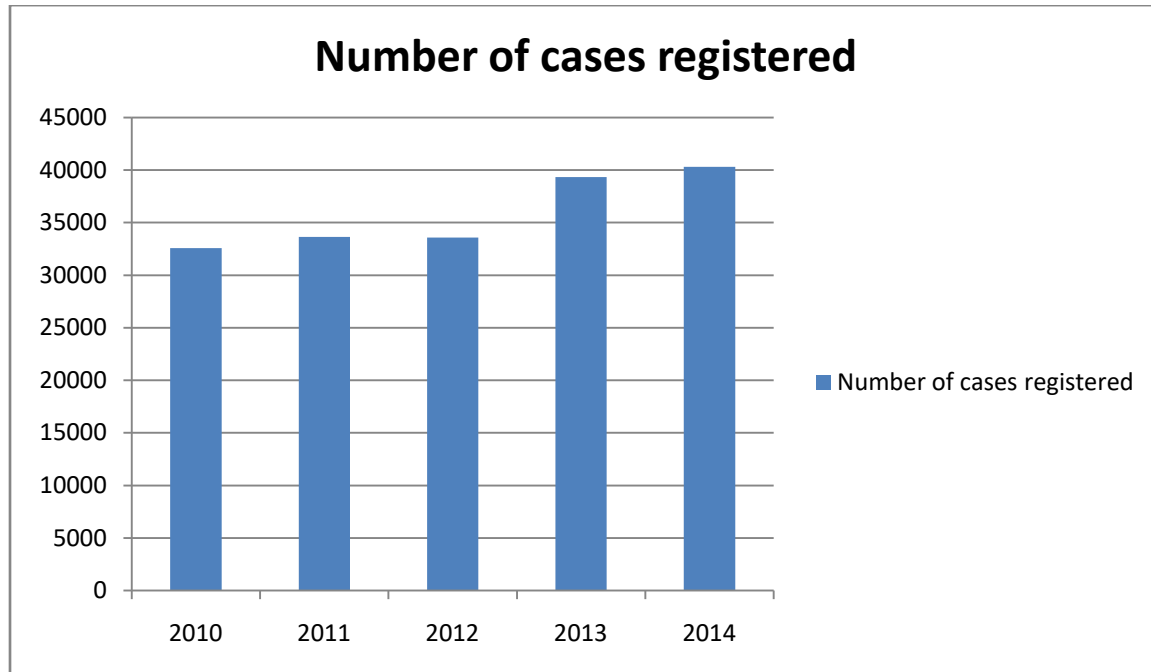
¹⁹ *Id.*, s. 8.

²⁰ *Id.*, s. 7A.

²¹ *Id.*, s. 11.

²² See *the Gazette of India, Extraordinary*, Part II, Sec.1, No.39, September 12, 1989. The act was came into force on January 30, 1990. See *the Gazette of India, Extraordinary*, Part II, Sec.3, No.50, January 29, 1990, S.O. 106 (E).

The data of the National Crime Records Bureau Provided that the number of cases registered under the Prevention of Atrocities Act in conjunction with the IPC regarding scheduled caste member, increased from 32,569 in 2010 to 40,300 in 2014.



Source: National Crime Records Bureau, Ministry of Home Affairs

And, the legal justice also remains difficult for a majority of the victims and the witnesses as they face hurdles virtually at every stage of the legal process from registration, investigation and charge-sheeting of the cases and delay in trial and low conviction rate. The pendency rate of such cases too increased from 79.1% in 2010 to 84.1% in 2013.²³ Therefore, an immediate action was required to amend the Prevention of Atrocities Act, 1989 for providing necessary changes to prevent the commission of offences of atrocities against the members of the SCs and STs. And Government promulgated an Ordinance on 4th March, 2014 to amend the Act as the Parliament was not in session.²⁴ Later on the Scheduled Castes and the Scheduled Tribes (Prevention of

²³ Sixth Report of Standing Committee on Social Justice and Empowerment on the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill, 2014, pp. 6-7.

²⁴ Id., pp. 7-8.

Atrocities) Amendment Act, 2015 came into existence.²⁵ Let us see what new features are introduced by the amendment act.

2.1 Atrocity

This Act does not define the term “atrocity” but, lists out the various acts that constitute atrocities. The list of various acts is as follow²⁶:

- a. Putting into the mouth of a member of a Scheduled Caste any inedible or obnoxious substance or forces to drink or eat it.
- b. Dumping waste matter, carcasses or any other obnoxious substance in or at the entrance of premises of a member of a Scheduled Caste.
- c. Dumping waste matter, carcasses or any other obnoxious substance in neighbourhood to cause injury, insult or annoyance to any member of a Scheduled Caste.
- d. Garlanding with footwear or parades naked or semi-naked a member of a Scheduled Caste.
- e. Forcibly removing clothes, tonsuring of head, removing moustaches, painting face or body.
- f. Wrongfully occupies or cultivates the land of a member of a Scheduled Caste or gets such land transferred.
- g. Wrongfully dispossessing a member of a Scheduled Caste from his land or premises or interferes with the enjoyment of his rights, , over any land or premises or water or irrigation facilities or destroys the crops or takes away the produce. This also includes forest rights.
- h. Making a member of a Scheduled Caste to do begar or bonded labour.
- i. Compelling a member of a Scheduled Caste to dispose or carry human or animal carcasses or to dig graves.

²⁵ See the *Gazette of India, Extraordinary*, Part II, Sec.1, No.1, January 1, 2016. It came into force on January 26, 2016. See the *Gazette of India, Extraordinary*, Part II, Sec.3, No.136, January 18, 2016, S.O. 152(E). The Central Government also amended the rules made for the purposes of the Act. These rules are called the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016. These rules came into force on April 14, 2016. See the *Gazette of India, Extraordinary*, Part II, Sec.3, No.268, April 14, 2016 G.S.E. 424 (E).

²⁶ The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Act 22 of 1955), S.3 (as amended by the Atrocities (Amendment) Act, 2015).

- j. Making a member of a Scheduled Caste to do manual scavenging or employs for such purpose.
- k. Promoting to dedicate a Scheduled Caste woman to a deity, idol, temple, or other religious institution as a devadasi.
- l. forcing a member of a Scheduled Caste not to vote or to vote for a particular candidate or to vote in a manner other than that provided by law, not to file a nomination as a candidate or to withdraw and not to propose nomination as a candidate in any election.
- m. Obstructing a member of a Scheduled Caste, who is a member or a Chairperson or a holder of any other office of a Panchayat, from performing their normal duties and functions.
- n. Causing hurt or imposes social or economic boycott upon a member of a Scheduled Caste or prevents from availing benefits of any public service which is due to him.
- o. Instituting vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste.
- p. Giving any false or frivolous information to any public servant to cause him to use his lawful power to the injury or annoyance of a member of a Scheduled Caste.
- q. Intentionally insults member of a Scheduled Caste in any place within public view.
- r. Abusing any member of a Scheduled Caste by caste name in any place within public view.
- s. Destroying any object generally known to be held sacred by members of the Scheduled Castes.
- t. Promoting feelings of enmity, hatred or ill-will against members of the Scheduled Castes
- u. Disrespecting any late person held in high esteem by members of the Scheduled Castes by words either written or spoken or by any other means.
- v. Intentionally touching or using words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste.
- w. Fouling the water sources used by members of the Scheduled Castes.
- x. Denying or obstructing or preventing to have access a member of a Scheduled Caste any customary right of passage to a place of public resort.

y. Forcing a member of a Scheduled Caste to leave his house, village or other place of residence.

z. Obstructing or preventing a member of a Scheduled Caste from:

- Using common property or cremation ground or water sources or bathing ghat or any public conveyance or passage.
- Mounting bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding procession, or mounting a horse or any other vehicle during wedding processions.
- Entering any public place of worship or taking part in, or taking out, any religious, social or cultural processions.
- Entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or using any utensils or articles meant for public use.
- Practicing any profession or the carrying on of any occupation or employment in any job which other members of the public have a right to use.

z(a). Causing physical harm or mental agony of a member of a Scheduled Caste on the allegation of practicing witchcraft or being a witch.

2.2. Public Servant and Negligence

The Act provides the duties of public servant. These duties are as follows:

- a. To read out an informant the information given orally and reduced to writing by the officer in charge.
- b. To register a complaint or an FIR,
- c. To furnish a copy of the information so recorded to the informant.
- d. To record the statement of the victims or witnesses.
- e. To conduct the investigation and file charge sheet in the Special Court or the Exclusive Special Court within a period of sixty days .
- f. To correctly prepare, frame and translate any document.

The charges against the public servant would be booked on the recommendation of an administrative enquiry and the cognizance would be taken by the Special Court or the

Exclusive Special Court. The punishment would be imprisonment ranging from six months to one year.²⁷

2.3. Exclusive Special Courts and Exclusive Public Prosecutors

The State Government has to appoint Special Courts and Exclusive Special Courts²⁸ to take cognizance of offence. The courts have to complete trial of the case within two months from the date of filing of the charge. The proceedings would be continued from day-to-day until all the witnesses are examined.²⁹ And the State Government has to appoint a Public Prosecutors Courts and Exclusive Public Prosecutors for Special Courts and Exclusive Special Courts respectively, who are practicing as an advocate for seven years or more.³⁰

2.4 Rights of Victims and Witnesses

The amended act provides for the rights of victims³¹ and witness.³² These rights are as follows:³³

1. Protection: The State has to make arrangements for the protection of victims, their dependents, and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence.
2. Treated with dignity: A victim would be treated with fairness, respect, dignity and regard to any special need arising because of the victim's age or gender or educational disadvantage or poverty.
3. Notice: A victim has the right to reasonable, accurate, and timely notice of any Court proceeding.
4. Examination: A victim has the right to apply to the Special Court or the Exclusive Special Court to summon parties for production of any documents or material, witnesses or examine the persons present.
5. Right of hearing: A victim is entitled to be heard at any proceeding in respect of bail, discharge, release, parole, conviction or sentence of an accused etc.

²⁷ *Id.*, s. 4.

²⁸ *Id.*, s. 2(1) (bd).

²⁹ *Id.*, s. 14 .

³⁰ *Id.*, s. 15.

³¹ *Id.*, s. 2(1) (eb)

³² *Id.*, s. 2(1) (ec)

³³ *Id.*, s.15A. See also the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995, R. 9 (vii) and R. 10 (iv) (as amended by Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016.)

6. Social-Economic Rehabilitation: Established Court would provide to a victim complete protection, the travelling and maintenance expenses, the social-economic rehabilitation and relocation during investigation.

7. Record the Complaint: Investigating Officer and the Station House Officer has to record the complaint of victim, informant or witnesses against any kind of intimidation, coercion etc. And they have a right to get a photocopy of the First Information Report free of cost.

8. Rights and Entitlements under Scheme: State has to specify an appropriate scheme to provide following rights to victims and witnesses:

- a. to provide a copy of the recorded First Information Report at free of cost;
- b. to provide immediate relief in cash or in kind to atrocity victims or their dependents
- c. to provide necessary protection to the atrocity victims or their dependents, and witnesses;
- d. to provide relief in respect of death or injury or damage to property;
- e. to arrange food or water or clothing or shelter or medical aid or transport facilities or daily allowances to victims;
- f. to provide the maintenance expenses to the atrocity victims and their dependents;
- g. to provide the information about the rights of atrocity victims at the time of making complaints and registering the First Information Report;
- h. to provide the protection to atrocity victims or their dependents and witnesses from intimidation and harassment;
- i. to provide the information to atrocity victims or their dependents or associated organisations or individuals, on the status of investigation and charge sheet and to provide copy of the charge sheet at free of cost;
- j. to take necessary precautions at the time of medical examination;
- k. to provide information to atrocity victims or their dependents or associated organisations or individuals, regarding the relief amount;
- l. to provide information to atrocity victims or their dependents or associated organisations or individuals, in advance about the dates and place of investigation and trial;

- m. to give adequate briefing on the case and preparation for trial to atrocity victims or their dependents or associated organisations or individuals and to provide the legal aid for the said purpose;
- n. to execute the rights of atrocity victims or their dependents or associated organisations or individuals at every stage of the proceedings under this Act and to provide the necessary assistance for the execution of the rights.

9. Assistance from the Non-Government Organisations: The victims or their dependents can take assistance from the Non-Government Organisations, social workers or advocates.

3. Conclusion

As the number of cases registered under the Prevention of Atrocities Act in conjunction with the IPC regarding scheduled caste member were increasing, this fact paved the way for enactment of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. The Amendment Act 2015 is undoubtedly an improvement over the provisions of 1989 Act. Firstly, It adds new categories of offences and amends certain existing categories. For example Garlanding scheduled caste members with footwear, Compelling to do manual scavenging or dispose carry animal or human carcasses, Abusing scheduled caste members in public by caste name, disrespecting any deceased scheduled caste members person held in high esteem , threatening or imposing economic and social boycott, using acts, words or gestures of a sexual nature against scheduled caste women , touching an scheduled caste women intentionally in a sexual manner without her consent and Practice of dedicating an scheduled caste women as a devadasi to a temple. It also provides for offences like hurt, grievous hurt, intimidation, kidnapping, rioting, criminal trespass etc.³⁴

Secondly, it provides that public servants has to register a FIR or complaint , to read out the information given orally before taking the signature of the victim and to give copy to the victim. If the public servant willfully neglects his duties to be performed, he would be punished with

³⁴ See *Supra* note 26.

imprisonment from six months to one year.³⁵ This may cause the public servants to perform their duties diligently.

Thirdly, investigating officer has to complete investigation as early as possible and submit the report to the superintendent of police. He has to forward the report to Director General. Officer-in charge of concerned police station has to file charge sheet within a period of sixty days.³⁶ If the delay is made in filing the charge sheet, that is to be explained.³⁷ Fourthly, it provides for establishment of Exclusive Special Court and Special Court at the district level to try offences. And trial is to be completed within two months.³⁸ Moreover, the court proceedings would be continued from day-to-day till all the witnesses are examined.³⁹ And this would help in speedy trial. Moreover, an appeal can be filed to High Court on question of Law and fact.⁴⁰ This provision would help the parties to move to higher court to get justice done.

Fifthly, it provides for the rights to victims and witnesses. It also provides that it would be the duty of the state to make arrangements for the protection of victims and their dependents and the witnesses.⁴¹ It also mentions that state would specify a scheme to ensure the implementation of rights of victims and witnesses.⁴² The courts are also empowered to order socio- economic rehabilitation of victim till final verdict.⁴³ Now, they can lodge complaints without fear of social reprisal and harmful economic consequences from their land lords and money lenders.

Sixthly, it provides for enhancement of the relief amount.⁴⁴ Let us see how much enhancement of relief amount is.

³⁵ See *Supra* note 27.

³⁶ See the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995, R. 7(2) (as amended by Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016.)

³⁷ *Id.*, R. 7(2A).

³⁸ The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Act 22 of 1955), s.14 (2) (as amended by the Atrocities (Amendment) Act, 2015).

³⁹ *Id.*, s. 14(3).

⁴⁰ *Id.*, s. 14(A).

⁴¹ See *Supra* note 33.

⁴² See the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995, R.15 (1) (aa) (as amended by Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016.)

⁴³ *Id.*, R. 12 (4B).

⁴⁴ See annexure- I to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

TABLE I -RELIEF AMOUNT

S.NO.	Name of offence	Enhancement of the Relief Amount
1.	Eat or drink any inedible substance, wrongful occupation or cultivation of land and begar	from Rupees twenty five thousand to one lakh
2.	Outraging the modesty of a woman	from Rupees fifty thousand to two lakh
3.	100% disability, murder or death	Non earning member - from Rupees one lakh to eight lakh and twenty five thousands Earning member - from Rupees two lakh to eight lakh and twenty five thousands
4.	Murder and permanent incapacitation	Pension to widow or dependent- from Rupees One thousand to five thousand per month
5.	Instituting False Legal Proceedings	from Rupees Twenty five thousand to Eighty five thousands
6.	Committing offences punishable with imprisonment for a term of 10 years or more	From Rupees Fifty thousand to four lakh

The table shows that there is substantial percentage of increase in the relief amount. Thus, it may have the deterrent effect. Moreover, the Act also provides relief in cases in which it was not provided earlier and adds new categories of offences.⁴⁵ Let us see how much relief is given in these cases.

⁴⁵ See annexure- I to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016.

TABLE II -RELIEF AMOUNT

S. N o.	Offence	Relief Amount
1.	<p>Put inedible substances</p> <p>Dumping excreta</p> <p>Garlanding with footwear or parading naked or semi-naked</p> <p>Forcibly committing acts such as removing clothes, forcible tonsuring of head, removing moustaches etc</p> <p>Dedication of a women member as a Devadasi</p> <p>Humiliation and abusing by caste name in any place within public view</p> <p>Promoting feeling of hatred</p> <p>Preventing members from using common property resources, cremation ground, water resources, bathing ghats or public conveyance</p> <p>Riding bicycle</p> <p>Wearing foot wears or new clothes in public places</p> <p>Taking out wedding procession</p> <p>Mounting a horse</p> <p>Preventing from entering any public place of worship, educational institutions, hospitals, or public place of entertainment</p> <p>Using utensils meant for public place</p> <p>Causing harm for practicing and being a witch</p> <p>Imposing social or economic boycott</p>	Rupees one lakh
3.	<p>Throwing acid</p> <p>Burns exceeding 30%</p> <p>Burns 10 - 30%</p>	<p>Rupees eight lakh and twenty five thousand</p> <p>Rupees four lakh fifteen thousand</p>

	Burns less than 10%	Eighty five thousand
4.	Giving fabricating evidence	Rupees four lakh and fifteen thousand
5.	Rape	Rupees five lakh
6.	Gang rape	Rupees eight lakh and twenty five thousand

Last, but very appreciable that District Magistrate has to make necessary arrangements to provide relief in cash or in kind within seven days to the victims of atrocity.⁴⁶ These relief provisions seem to be in the interest of victims.

These new changes seems to be effective in reducing the number of atrocity cases against the scheduled caste because it is covering every possible nature of Atrocity and enhancing the responsibilities of authorities, relief and punishment in the listed offences. But, whether it would happen or not only time will tell.

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⁴⁶ *Id.*, R. 12(4) and 4A.